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Room 222

FCC MAIL SECTION

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

JUL 15 1993

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IN REPLY REFER TO:

1800D5

DISPATCHED BY
Robert S. Stone, Esq.
McC Campbell & Young, P.C.
2021 Plaza Tower
Post Office Box 550
Knoxville, Tennessee 37901-0550

PRM93MM

Dear Mr. Stone:

This is in response to the petition for rule making which you submitted on July 2, 1993, on behalf of Harrison County Broadcasting Company, permittee for a new FM station on Channel 299B1 at Corydon, Indiana (File No. BPH-860221MT), requesting the substitution of Channel 299B for Channel 299B1 at Corydon and modification of its construction permit accordingly.

An engineering review of the proposal reveals that, using the coordinates provided in your petition (38-11-30 and 86-11-32), the proposal is 5.4 kilometers (3.3 miles) short spaced to the licensed site of Station WAMW-FM, Channel 300A, Washington, Indiana, at coordinates 38-38-47 and 87-16-47. The distance between Corydon and the licensed coordinates of Station WAMW-FM is 107.6 kilometers whereas a distance of 113 kilometers is required between first adjacent Class A and B channels. You advise that the engineering feasibility study accompanying the proposal was taken from the construction permit application filed on February 21, 1986. However, we must process your petition pursuant to the current minimum distance separation requirements of Section 73.207(b) (1) of the Commission's Rules which took effect on October 2, 1989. See MM Docket No. 88-375, 4 FCC Rcd 6375 (1989).

In view of the above, we find that the request to substitute Channel 299B for Channel 299B1 at Corydon, Indiana, is unacceptable for consideration.

Sincerely,

Michael C. Ruger
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

bcc: FCC Reference Center (Room 239) via Secretary's Office (Room 222)
(2 copies) (petition filed July 2, 1993)

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